Requests seeking Commissioners' recusal expire, Commissioners reject claims of bias

Filings that seek a rehearing on solar cost shift issues and the recusal of three Corporation Commissioners on that case will expire without formal action by the Commission.

The filings, submitted by two former commissioners, Sunrun, and The Alliance for Solar Choice demand Commissioners Tom Forese, Doug Little and Bob Stump refrain from voting on an Arizona Public Service request to increase the fee that the energy provider charges to rooftop solar customers. The requests also seek a rehearing on the Commission's decision to set a hearing to review the cost shift created by solar customers.

No open meeting has been scheduled for Wednesday or Thursday, the deadlines for the Commission to consider these filings. By law, if no action is taken within 20 days, the filings are considered denied. The 20 days expire Wednesday and Thursday.

In August, the Commission voted to hold an evidentiary hearing to determine if the current charge to solar customers should be modified.

 "After a thorough review of the record, and having fully considered these matters, I have determined that there are no grounds for disqualification or recusal that would prevent me from participating in this decision," Forese wrote in a filing.

"I did not prejudge any issue presented and considered the record with an open mind and acted fairly and impartially in my decision-making," Stump wrote in a filing.

"I have duly considered the allegations and the entire record and I conclude that I have acted fairly, impartially and without bias in all aspects of this proceeding," Little wrote in a filing. "I am not disqualified from decision-making by any conflict of interest because none exists."

The Commission may take up an APS request to modify its August Decision at its Oct. 20 Open Meeting, according to a filing by Chairman Susan Bitter Smith.